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## Transportation Committee

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### HB 1535

**Brief Description:** Addressing traffic control at thoroughfare work sites.

**Sponsors:** Representatives Wood, Upthegrove and Williams.

#### Brief Summary of Bill

- Requires that work performed on public roads and bridges must address the needs and control of all users, including bicyclists, pedestrians, and persons with disabilities.
- Expands sign posting and driving requirements for public road and bridge work to include utility work, and to include work performed on trails and sidewalks.
- Requires, when passage of a road is closed to any user, that detour signs be posted that direct the user to safe alternate routes of reasonable distance. If safe alternate routes of reasonable distance cannot be provided for bicyclists and pedestrians, requires that public notice be posted at least a week in advance or that arrangements be made to transport users past the work zone.

**Hearing Date:** 2/12/09

**Staff:** Kathryn Leathers (786-7114)

#### Background:

When construction, repair, or maintenance work is conducted on or adjacent to a public highway, county road, street, bridge, or other commonly traveled thoroughfare, and when the work interferes with the normal and established mode of travel on such a facility, the work location must be properly posted by prominently displayed signs or flagmen or both. Signs used for posting in such an area must be consistent with the provisions found in the state's manual on uniform traffic control devices.

If the construction, repair, or maintenance work includes or uses grooved pavement, abrupt lane

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edges, steel plates, or gravel or earth surfaces, the work zone must be posted with signs stating the condition and must also warn motorcyclists of the potential hazard if the hazard or condition exists on a paved facility.

Drivers of motor vehicles used in connection with the construction, repair, or maintenance work must obey traffic signs posted for, and flaggers stationed at, such locations in the same manner and under the same restrictions as is required for the driver of any other vehicle.

The sign posting and compliance requirements apply to any contractor, firm, corporation, political subdivision, or other agency performing such work.

Failure to comply with work zone sign posting and driving requirements is a misdemeanor. Each day there is a violation, or there is a failure to comply, constitutes a separate violation. A misdemeanor is punishable by imprisonment in a county jail for not more than 90 days or by a fine of not more than \$1,000, or both.

**Summary of Bill:**

It is established that when public roads and bridges require certain types of work, the needs and control of all users of the roads and bridges, including bicyclists, pedestrians, and persons with disabilities, must be an essential part of the work.

Trails and sidewalks are included in the list of public facilities that require signs or flagmen when certain types of work are performed and the work interferes with the normal mode of travel on that facility. Utility work is included among the types of work performed on public facilities that trigger sign posting and driver compliance requirements.

Detour signs directing users to safe alternate routes of reasonable distance must be posted when passage of certain public roads and bridges is closed to any user. If safe alternate routes of reasonable distance cannot be provided for bicyclists and pedestrians, either public notice must be posted in advance at the site for at least one week or arrangements must be made to transport bicyclists and pedestrians past the work zone.

**Appropriation:** None.

**Fiscal Note:** Requested on 2/3/09.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.